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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,080	11/29/2000	Steven G. Himes	PM 268496	7496

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STEPHEN C GLAZIER
KIRKPATRICK & LOCKHART LLP
1800 MASSACHUSETTS AVENUE NW
WASHINGTON, DC 20036-1221

EXAMINER

DIXON, THOMAS A

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 01/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/725,080

Applicant(s)

HIMES, STEVEN G.

Examiner

Thomas A. Dixon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,15,30,31,45,60,75,90,101,116,120,130 and 136-245 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,15,30,31,45,60,75,90,101,116,120,130 and 136-245 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 28. 6) ☐ Other: _____

Continuation of Disposition of Claims: Claims withdrawn from consideration are 2-14,16-29,32-44,46-59,62-74,76-89,91-100,102-115,117-119,121-130 and 132-135.

DETAILED ACTION

1. Applicant's arguments and amendments necessitate the new grounds of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 15, 30, 31, 45, 30, 60, 61, 75, 90, 101, 116, 131, 136-146, 148-150, 152-157, 159-169, 171-173, 175-180, 182-192, 194-196, 198-203, 205-212, 214-224, 226-236, 238-245 are rejected under 35 U.S.C. 103(a) as being anticipated by Chapin Jr. (5,931,878) in view of Yacoob (6,170,742) in view of Fulcher et al (6,505,774).

As per Claim 1, 15, 45, 75.
Chapin Jr. ('878) discloses:
entering means to enter supplemental data, see figure 1 (13);
transmitting means to transmit input data and supplemental data to a data management system, see column 2, lines 60-63;
selectively offering an incentive package, see figure 5 (44, 100, 106);
generating means to generate response data from the data management system, see figure 1 (16) and column 2, line 57;
displaying means to display data, see column 2, line 57;
updating means to update the input data based in part on the supplemental data and the response data, see column 3, lines 54-57;
storing means to store the updated input data, see column 3, line 25;
printing means to print the input data, supplemental data and response data, see column 3, line 60.
Chapin Jr does not disclose:
a reader capable of processing input and output from a smart card and
selecting means to select a language from a plurality of choices for use in any printed and displayed text .

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Yacoob ('742) teaches a reader capable of processing input and output from a smart card, see figure 4 (3003, 3004) for the benefit of customer convenience of not having to input data related to their personal or vehicle data.

Fulcher et al ('774) figure 11 (702) teaches a means for a user to select an alternate language, see column 18, lines 9-21, for customer retention and convenience of the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) in view of Yacoob ('742) to include the card reader and Fulcher et al ('774) for the language selection features for the benefit of customer retention and user convenience.

As per Claim 30, 60, 90, 101, 116, 131.

Chapin Jr. ('878) discloses:

a data entry station, see figure 1 (13);

a printer, communicating with the data entry station, , see column 3, line 60;

selectively providing a customer incentive package, , see figure 5 (44, 100, 106).

Chapin Jr ('878) does not disclose:

the use of smart cards;

selecting means to select a language from a plurality of choices for use in any printed and displayed text.

Yacoob ('742) further teaches:

1. a plurality of smart cards, see figure 4 (3004);

2. a smart card reader, see (3003);

3. a data entry station, communicating with the smart card reader, see (3000);

4. a printer, communicating with the data entry station, see figure 13 (789);

the communication link is wire and wireless communication, see figure 4 (3006) for the benefit of customer convenience of not having to input data related to their personal or vehicle data..

Fulcher et al ('774) figure 11 (702) teaches a means for a user to select an alternate language, see column 18, lines 9-21, for customer retention and convenience of the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) to include the smart card use of Yacoob ('742) and the language selection features of Fulcher et al ('774) for the benefit of customer retention and user convenience.

As per Claim 31, 61.

Chapin Jr. ('878) discloses:

an entering means to enter supplemental data, see figure 1 (13);

selectively providing a customer incentive package, see figure 5 (44, 100, 106).

transmitting means to transmit input data and supplemental data to a data management system, see column 2, lines 60-63;

generating means to generate response data from the data management system, see column 20, lines 20-55;

displaying means to display data, see column 2, line 57;

updating means to update the input data based in part on the supplemental data and the response data, see column 3, lines 54-57;

storing means to store the updated input data, see column 3, line 25;

printing means to print the input data, supplemental data and response data, see column 3, line 60;

Chapin Jr ('878) does not disclose:

the use of smart cards;

selecting means to select a language from a plurality of choices for use in any printed and displayed text.

Yacoob ('742) teaches:

a reader capable of processing input and output from a smart card, see figure 4 (3003, 3004);

checking access authorization of the input data from the user, see figure 5 (2001) for the benefit of user convenience and privacy.

Fulcher et al ('774) figure 11 (702) teaches a means for a user to select an alternate language, see column 18, lines 9-21, for customer retention and convenience of the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) in view of the smart card and security features of Yacoob ('742) and language selection features of Fulcher et al ('774) for the benefit of customer retention, user convenience and data privacy.

As per Claim 136, 159, 182, 191.

Chapin Jr. ('878) teaches the use of the internet, and portable devices are known to be used on the internet, but does not specifically teach a reader capable of processing input and output from a portable information storage device.

Yacoob ('742) further teaches the reader is capable of processing input and output from a portable information storage device, see figure 4 (3003) for the benefit of customer convenience.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) to process user input or output from a portable device for the benefit of user convenience.

As per Claim 137, 160, 183.

Chapin Jr. ('878) further discloses the transmitting means is wire or wireless, see column 2, lines 60-63.

As per Claim 138.

Chapin Jr. ('878) further discloses the input data is maintenance schedule data, see column 3, lines 24-29.

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As per Claim 140.

Chapin Jr. ('878) further discloses the response data comprises recommended services, see column 3, line 46 and savings, see column 3, line 33.

As per Claim 141, 192.

Chapin Jr. ('878) further discloses the data management system comprises a vehicle dealership management system, see figure 1.

As per Claim 145, 168.

Chapin Jr. ('878) does not specifically disclose storing means is a portable storage device.

Yacoob ('742) further discloses the storing means is a portable storage device comprising a smart card, see figure 4 (3004) for the benefit of customer convenience .

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) to store data on a portable device for the benefit of user convenience.

As per Claim 146, 164, 169, 187.

Chapin Jr. ('878) further discloses the storing means is a dealer database system, see figure 1.

As per Claim 148, 171, 194.

Chapin Jr. ('878) further discloses a printing means to print the input data see column 3, line 60.

As per Claim 149, 172, 195.

Chapin Jr. ('878) teaches receiving supplemental data, stored data, data access, display and printing, but does not disclose smart cards.

Yacoob ('742) teaches:

a) the DMS and SCS are adapted to access data stored on the smart card and store accessed data in the DMS and print and display the accessed data, see column 6, lines 31-59 and column 20, lines 20-55;

b) the DMS and SCS are adapted to access data stored in the DMS and store the accessed data on the SCS and print and display the accessed data, see column 20, lines 20-55;

c) the DMS and SCS are adapted to generate data in a user session and store the generated data in the DMS and SCS and to print and display the generated data, see column 20, lines 48-55; and

d) the SCS is adapted to receive input of supplemental data and store the inputted data in the DMS and SCS and to print and display the inputted data, see column 14, lines 38-42 and column 20, line 65 – column 21, line 26 for the benefit of user convenience of avoiding data reentry.

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Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) to store data on a portable device for the benefit of user convenience.

As per Claim 150, 173, 196, 205, 206, 217, 218, 229, 230.

Chapin Jr. ('878) further discloses the data entry station is a keyboard (figure 1 (12), but does not disclose a mouse and a touch screen.

Yacoob ('742) further discloses the data entry station is a keyboard with a mouse and a touch screen, see figure 13 (782) and column 14, lines 54-59 as well known combination of pc hardware for the benefit of user convenience.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) to use a well known combination of pc hardware.

As per Claim 152, 161, 175, 184, 198, 207, 219, 231.

Chapin Jr. ('878) further discloses the inputted data comprising customer information, vehicle information, maintenance schedule information, coupon information, see column 3, lines 24-60.

As per Claim 139, 153, 162, 176, 185, 199, 208, 220, 232, 233.

Chapin Jr. ('878) further discloses contact information, see column 3, line 27.

As per Claim 154, 163, 177, 186, 200, 209, 221, 234.

Chapin Jr. ('878) further discloses savings, see column 3, line 33.

As per Claim 142, 155, 165, 178, 188, 201, 210, 222, 235.

Chapin Jr. ('878) discloses the collection of telephone number, which in many systems known to be used as a personal identification number, but does not specifically disclose a personal identification number.

Yacoob ('742) further teaches the input data comprises a personal identification number, see figure 1 (1113) for the benefit of uniquely, anonymously identifying customers.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the system of Chapin Jr. to use an identification number as taught by Yacoob for the benefit of uniquely, anonymously identifying customers.

As per Claim 143, 156, 166, 179, 189, 202, 211, 213, 236.

Chapin Jr. ('878) does not specifically disclose an administrator function.

Yacoob ('742) further discloses the data input comprise administrator data that permit functions to be performed that are reserved for a system administrator, see figure 1 (1114) for the benefit of system security.

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Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the system of Chapin Jr. to have administrator functions as taught by Yacoob for the benefit of system security.

As per Claim 144, 157, 167, 180, 190, 203, 212, 214.

Chapin Jr. ('878) does not specifically disclose an access authorization.

Yacoob ('742) further discloses checking means to check access authorization of the input data from the user, see figure 5 (2001).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the system of Chapin Jr. to have administrator functions as taught by Yacoob for the benefit of system security.

As per Claim 214, 226, 238.

Chapin Jr. ('878) discloses storing and accessing information regarding vehicle dealership activities, see column 3, lines 49-55.

As per Claim 215, 227, 239.

Chapin Jr. ('878) discloses generating, storing and accessing information, but does not specifically disclose smart cards.

Yacoob ('742) further discloses generating, see column 20, lines 48-55, storing in a portable storage device comprising a smart card, see figure 4 (3004), and printing, see column 14, lines 38-42 and column 20, line 65 – column 21, line 26.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) in view of the smart card and security features of Yacoob ('742) for the benefit of customer retention, user convenience and data privacy.

As per Claim 216, 228, 240.

Chapin Jr. ('878) further discloses receiving and storing information to the SCS and to print and display the information, see column 3, lines 24–60.

As per Claim 241-245.

Chapin Jr. ('878) does not disclose the customer incentive package is at least in part parameterized.

Fulcher et al ('774) figure 11 (702) teaches the customer incentive package is at least in part parameterized, lower rates are offered based on longer parking terms or a coupon for future parking is dispensed based on the remaining time if more parking is paid for than is actually used, see column 17, lines 36-40 and column 18, lines 38-56, and a means for a user to select an alternate language, see column 18, lines 9-21, for customer retention and convenience of the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) to include the parameterized incentive and language selection features of Fulcher et al ('774) for the benefit of customer retention and user convenience.

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3 Claims 120, 147, 151, 158, 170, 174, 181, 193, 197, 204, 213, 225, 237 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Chapin Jr. (5,931,878) in view of Yacoob (6,170,742) further in view of Fulcher et al (6,505,774) further in view of Filepp et al (5,347,632) or Collins-Rector et al (6,188,398).

As per Claim 120.

Chapin Jr. ('878) discloses
entering and displaying data on a data entry station, said data entry station communicating with the smart card reader, see column 3, lines 24-60;
printing data with a printer, said printer communicating with the data entry station, see column 3, lines 24-60;
inputted data comprising:
customer information (including telephone number, that is known to be used as a personal identification number in many systems), vehicle information, maintenance schedule information, coupon information, see column 3, lines 24-60;
supplemental data comprising recommended services, and contact information, see column 3, lines 24-60;
but does not specifically disclose smart cards, personal identification number, authentication or administrator functions, response including savings amount or displaying selecting a language from a plurality of choices for use in any printed and displayed text and displaying pop-up video clips.

Yacoob ('742) teaches:
receiving input data on a plurality of cards, see figure 4 (3004);
reading the smart cards with a smart card reader, see (3003);
checking an access authorization of the input data from the user, see figure 5 (2001);

a data entry station comprising:
a touch screen, keyboard and mouse, see column 14, lines 54-59;
inputted data comprising:
personal identification number, see (1113) and administrator data that permits functions to be performed that are reserved for a system administrator, see (1114);
response data comprising savings amount, see column 3, lines 1-11 for the benefit of user convenience of data entry and security.

Fulcher et al ('774) figure 11 (702) teaches a means for a user to select an alternate language for the convenience of the user and for storage and analysis of customer language preferences.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) to include the smart card, identification number, savings response, and system administrator features of Yacoob ('742) for the benefit of customer convenience and system security and the

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language selection feature of Fulcher et al ('774) for the benefit of future analysis of language preferences of customers.

Filepp et al ('632), see figure 3a (280) and Collins-Rector et al ('398) figure 2 (31, 33) teach displaying ads or video in order to create an enhanced advertisement experience.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to display pop-up video clips as taught by Filepp et al ('632) or Collins-Rector et al ('398) in the invention of Chapin Jr. ('878) to create an enhanced advertisement experience.

As per Claim 147, 158, 170, 181, 193, 204, 213, 225, 237.

Chapin Jr. ('878) further discloses displaying means, see column 2, line 57..

Chapin Jr. ('878) does not specifically disclose displaying pop-up video clips.

Filepp et al ('632), see figure 3a (280) and Collins-Rector et al ('398) figure 2 (31, 33) teach displaying ads or video in order to create an enhanced advertisement experience.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to display pop-up video clips as taught by Filepp et al ('632) or Collins-Rector et al ('398) in the invention of Chapin Jr. ('878) to create an enhanced advertisement experience.

As per Claim 151, 174, 197.

Chapin Jr. ('878) further discloses a the data entry station is a keyboard, see figure 1 (12) and communications network (22), is the Internet, but does not disclose a mouse or touch screen.

Yacoob ('742) further discloses a mouse and a touch screen, see figure 13 (782) and column 14, lines 54-59 as well known combination of pc hardware for the benefit of user convenience.

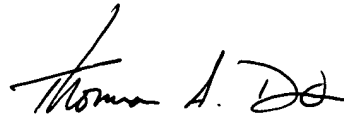
Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Chapin Jr. ('878) to use a well known combination of pc hardware.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (703) 305-4645. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

A handwritten signature in black ink, appearing to read "Thomas A. Dixon", with a stylized flourish at the end.

Thomas A. Dixon
Examiner
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January 9, 2004